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TO

Make provision for the Restoration and Maintenance of A.D. 1920.
Order in Ireland.

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

- 5 1.—(1) Where it appears to His Majesty in Council that, owing to the existence of a state of disorder in Ireland, the ordinary law is inadequate for the prevention and punishment of crime or the maintenance of order, His Majesty in Council may issue regulations under the Defence of the Realm Con-
10 solidation Act, 1914, (hereinafter referred to as the principal Act) for securing the restoration and maintenance of order in Ireland, and as to the powers and duties for that purpose of the Lord Lieutenant and the Chief Secretary, and of members of His Majesty's forces and other persons acting on His Majesty's
15 behalf, and in particular regulations for the special purposes hereinafter mentioned.

Regulations
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- (2) The provisions of the principal Act with respect to the trial by courts-martial or courts of summary jurisdiction and punishment of persons committing offences against the Defence
20 of the Realm Regulations, shall extend to the trial and punishment of persons who have committed crimes in Ireland, whether before or after the passing of this Act, including persons committed for trial or against whom indictments have been found, so, however, that—

- 25 (a) any crime when so tried shall be punishable with the punishment assigned to the crime by statute or common law;

- (b) a court-martial when trying a person charged with a crime punishable by death shall include as a
30 member of the court one person (who need not be an officer) nominated by the Lord Lieutenant, being a person

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certified by the Lord Chancellor of Ireland or the Lord Chief Justice of England to be a person of legal knowledge and experience;

and regulations under the principal Act may be made accordingly.

(8) Regulations so made may also—

(a) provide that a court of summary jurisdiction, when trying a person charged with a crime or with an offence against the regulations when hearing and determining any application with respect to a recognisance, 10 shall, except in the Dublin metropolitan police district, be constituted of two or more resident magistrates, and that a court of quarter sessions, when hearing and determining an appeal against a conviction of a court of summary jurisdiction for any such crime or offence, shall be constituted of the recorder or county court judge sitting alone; 15

(b) confer on a court-martial the powers and jurisdiction exercisable by justices or any other civil court for binding persons to keep the peace or be of good behaviour, for estreating and enforcing recognisances, 20 and for compelling persons to give evidence and to produce documents before the court;

(c) confer on persons authorised to summon witnesses before a court-martial the power of issuing warrants for compelling persons to attend as witnesses, 25 and any warrant so issued shall have the like effect and be executed in the like manner as if issued by a justice or court of summary jurisdiction having jurisdiction in the place in which it is executed or sought to be executed;

(d) authorise the imposition by courts-martial of fines 30 in addition to or in substitution for any other punishments for offences against the regulations, as well as for crimes, and provide for the manner in which such fines are to be enforced;

(e) authorise the conveyance to and detention in any 35 of His Majesty's prisons in any part of the United Kingdom of any persons upon whom a sentence of imprisonment has been passed in Ireland, whether before or after the passing of this Act;

(f) provide for any of the duties of a coroner and 40 coroner's jury being performed by a court of inquiry constituted under the Army Act instead of by the coroner and jury;

(g) provide that where the court house or other building in which any court is usually held has been destroyed or rendered unfit for the purpose, the court may be held in such other court house or building as may be directed by the Lord Lieutenant;

(h) authorise the trial without a jury of any action, counter claim, civil bill issue, cause, or matter in the High Court or a county court in Ireland which, apart from this provision, would be triable with a jury;

(i) provide for the retention of sums payable to any local authority from the Local Taxation (Ireland) Account, or from any Parliamentary grant, or from any fund administered by any Government department or public body, where the local authority has in any respect refused or failed to perform its duties, or for the purpose of discharging amounts awarded against the local authority in respect of compensation for criminal injuries, or other liabilities of the local authority, and for the application of the sums so retained in or towards the purpose aforesaid.

(4) Any such regulations may apply either generally to the whole of Ireland or to any part thereof, and may be issued at any time, whether before or after the termination of the present war, and the principal Act shall continue in force so far as may be necessary for that purpose, and the regulations may contain such incidental, supplemental, and consequential provisions as may be necessary for carrying out the purposes of this Act, and shall have effect as if enacted in this Act.

(5) In this Act, unless the context otherwise requires—

The expression "crime" means any treason, treason felony, felony, misdemeanor, or other offence punishable, whether on indictment or on summary conviction, by imprisonment or by any greater punishment, other than offences against the Defence of the Realm Regulations:

The expression "person committed for trial" shall include a person who has entered into a recognisance conditioned to appear and plead to an indictment or to take his trial upon any criminal charge, or who has been committed to prison there to await his trial for any crime.

2. This Act may be cited as the Restoration of Order in Ireland Act, 1920.